

By

Quib

S.B. No. 1192

A BILL TO BE ENTITLED

AN ACT

relating to the regulation of athletic trainers.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 1, Chapter 498, Acts of the 62nd Legislature, Regular Session, 1971 (Article 4512d, Vernon's Texas Civil Statutes), is amended to read as follows:

Sec. 1. DEFINITIONS; EXCEPTIONS. (a) In this Act:

(1) "Athletic trainer [~~Trainer~~]" means a person with specific qualifications, as set forth in Section 9 of this Act, who, on [~~upon~~] the advice and consent of a [~~his-team~~] physician or chiropractor:

(A) carries out the practice of prevention and [~~and/or~~] physical rehabilitation of injuries incurred by athletes or patients; and [~~---To---carry---out---these---functions---the---Athletic---trainer~~]

(B) is authorized to use physical modalities [~~such---as---heat,---light,---sound,---cold,---electricity,---or---mechanical~~] devices related to rehabilitation and treatment of an athlete or patient.

(2) "Board" means the Advisory Board of Athletic Trainers.

(3) "Commissioner" means the commissioner of health.

(4) "Department" means the Texas Department of Health.

(b) Nothing herein shall be construed to authorize the

1 practice of medicine by any person not licensed by the Texas State
2 Board of Medical Examiners.

3 (c) [~~4~~] The provisions of this Act [~~aet~~] do not apply to:

4 (1) physicians licensed by the Texas State Board of
5 Medical Examiners;

6 (2) [~~te~~] dentists, duly qualified and registered under
7 the laws of this state, who confine their practice strictly to
8 dentistry;

9 (3) [~~nor--te~~] licensed optometrists, who confine their
10 practice strictly to optometry as defined by statute;

11 (4) [~~nor--te~~] occupational therapists, who confine
12 their practice to occupational therapy;

13 (5) [~~nor-te~~] nurses who practice nursing only;

14 (6) [~~nor---te~~] duly licensed [~~chiropracists---~~or]
15 podiatrists, who confine their practice strictly to [~~chiropracy--or~~]
16 podiatry as defined by statute;

17 (7) [~~nor--te~~] physical therapists who confine their
18 practice to physical therapy;

19 (8) registered massage therapists [~~nor-te-masseurs--or~~
20 ~~masseuses-in-their-particular-sphere-of-labor~~]; or

21 (9) [~~nor--te~~] commissioned or contract physicians or
22 physical therapists or physical therapists assistants in the United
23 States Army, Navy, Air Force, Public Health and Marine Health
24 Service.

25 SECTION 2. Sections 10(a) and (b), Chapter 498, Acts of the
26 62nd Legislature, Regular Session, 1971 (Article 4512d, Vernon's
27 Texas Civil Statutes), are amended to read as follows:

1 (a) An applicant for an athletic trainer license must submit
2 an application to the board on forms prescribed by the board,
3 accompanied by the application fee and [~~submit~~] the examination fee
4 set by the board [~~required-by-this-Act~~]. In addition to the fees
5 set under Section 7 of this Act, the board by rule may set a
6 reasonable application fee.

7 (b) The applicant is entitled to an athletic trainer license
8 if the applicant [~~he~~] possesses the qualifications enumerated in
9 Section 9 of this Act, satisfactorily completes the examination
10 administered by the board, pays the license fee [~~as-set-in--Section~~
11 ~~7--of--this--Act~~], and has not committed an act which constitutes
12 grounds for denial of a license under Section 12 of this Act.

13 SECTION 3. This Act takes effect September 1, 1997, and
14 applies only to an application for a license as an athletic
15 trainer that is filed with the Advisory Board of Athletic Trainers
16 and a license issued or renewed by that board on or after that
17 date. An application filed or a license issued before that date is
18 governed by the law in effect on the date that the application was
19 filed or the license was issued, and the former law is continued in
20 effect for that purpose.

21 SECTION 4. The importance of this legislation and the
22 crowded condition of the calendars in both houses create an
23 emergency and an imperative public necessity that the
24 constitutional rule requiring bills to be read on three several
25 days in each house be suspended, and this rule is hereby suspended.

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MAR 11 1997

Filed with the Secretary of the Senate

MAR 17 1997

Read and referred to Committee on HEALTH & HUMAN SERVICES

Reported favorably _____

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

Laid before the Senate

Senate and Constitutional Rules to permit consideration suspended by: { unanimous consent
_____ yeas, _____ nays

Read second time, _____, and ordered engrossed by: { unanimous consent
a viva voce vote
_____ yeas, _____ nays

Senate and Constitutional 3 Day Rule suspended by a vote of _____ yeas, _____ nays.

Read third time, _____, and passed by: { A viva voce vote
_____ yeas, _____ nays

SECRETARY OF THE SENATE

OTHER ACTION:

Engrossed

Sent to House

Engrossing Clerk _____

Received from the Senate

Read first time and referred to Committee on _____

Reported _____ favorably (as amended) (as substituted)

Sent to Committee on (Calendars) (Local & Consent Calendars)

Read second time (comm. subst.) (amended); passed to third reading (failed) by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Constitutional rule requiring bills to be read on three several days suspended (failed to suspend)
by a vote of _____ yeas, _____ nays, _____ present, not voting.

Read third time (amended); finally passed (failed to pass) by a (non-record vote)
(record vote of _____ yeas, _____ nays, _____ present, not voting)

Returned to Senate.

Returned from House without amendment.

Returned from House with _____ amendments.

Concurred in House amendments by a viva voce vote _____ yeas, _____ nays.

CHIEF CLERK OF THE HOUSE

_____ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

_____ Senate conferees instructed.

_____ Senate conferees appointed: _____, Chairman; _____
_____, _____, and _____

_____ House granted Senate request. House conferees appointed: _____, Chairman;
_____, _____, _____

_____ Conference Committee Report read and filed with the Secretary of the Senate.

_____ Conference Committee Report adopted on the part of the House by: _____

{ a viva voce vote
_____ yeas, _____ nays

_____ Conference Committee Report adopted on the part of the Senate by:

{ a viva voce vote
_____ yeas, _____ nays

OTHER ACTION:

_____ Recommitted to Conference Committee

_____ Conferees discharged.

_____ Conference Committee Report failed of adoption by: _____

{ a viva voce vote
_____ yeas, _____ nays